



216

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D. Darst

Serial No.: 10/672,239

Customer  
No.: 33123

Filed: September 25, 2003

For: **PILL BOX AND SPLITTER WITH  
BLADE GUARD**

Conf. No.: 8709

Art Unit: 3728

Examiner: Not assigned

### CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

2/1/05  
Date

Michelle Malach  
Signature

### INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97(b). Because this Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. Form PTO/SB/08A (1 page) and copies of the cited

**U.S. Serial No. 10/672,239**

**D. Darst**

**Information Disclosure Statement**

documents are provided herewith in connection with the above-captioned application. Copies of the cited references that comprise issued U.S. patents and publications are not attached, per the Notice of waiver published in the Official Gazette on August 5, 2003. A copy of the non-patent document is provided, per 37 C.F.R. § 1.98(a)(2).

The documents listed on the attached Form PTO/SB/08A are in the English language. All documents were cited in a communication from a foreign patent office in connection with a counterpart foreign application (PCT/US2004/030478) not more than three months prior to the filing of the attached Information Disclosure Statement. Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Applicant respectfully requests that the Examiner review the references and make them of record in the file history of the above-captioned application.

Respectfully submitted,  
**HELLER, EHRMAN, WHITE & McAULIFFE LLP**

By:   
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Attorney Docket No. 40070-0360

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Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 2

**Complete if Known**

Application Number	10/672,239
Filing Date	September 25, 2003
First Named Inventor	D. Darst
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	40070-0360

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>Complete if Known</b>			
<b>Application Number</b>		10/672,239	
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<b>First Named Inventor</b>		D. Darst	
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<b>Examiner Name</b>		Not yet assigned	
<b>Sheet</b>	2	of	2
	Attorney Docket Number		
	40070-0360		

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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